

WAYNE STRUMPFER  
Acting California Corporations Commissioner  
ALAN S. WEINGER  
Acting Deputy Commissioner  
DOUGLAS M. GOODING (83518)  
Senior Corporations Counsel  
71 Stevenson Street, Ste. 2100  
San Francisco, CA 94105-2908  
Tel: 415/972-8546  
Fax: 415/972-8550  
Attorneys for Complainant

BEFORE THE DEPARTMENT OF CORPORATIONS  
OF THE STATE OF CALIFORNIA

In the Matter of	)	CASE NO.
	)	
THE CALIFORNIA CORPORATIONS	)	FILE NO. 927-0448
COMMISSIONER,	)	
	)	ORDER TO DISCONTINUE VIOLATIONS
Complainant,	)	PURSUANT TO CORPORATIONS CODE
	)	SECTION 25249
v.	)	
	)	
THOMAS CHARLES MARSELLA	)	
dba EARNINGS INVESTMENT CO.	)	
	)	
Respondent.	)	
	)	
	)	
	)	

TO: Thomas Charles Marsella  
dba Earnings Investment Company  
2787 W. Bullard Ave., Suite 109-B  
Fresno, California 93711

The Acting California Corporations Commissioner, Wayne Strumpfer, ("Commissioner") finds that:  
Thomas Charles Marsella dba Earnings Investment Company ("Marsella") has  
violated California Corporations Code section 25241 and California Code of  
Regulations section 260.241.3 by failing to maintain journal entries, accurate general

1 ledger balances, cash reconciliations, accurate trial balances, balance sheet statements  
2 and all client agreements.

3 Marsella has violated California Code of Regulations section 260.237 by failing to  
4 institute guidelines and practices for automatic fee payments to avoid regulatory  
5 requirements for advisory firms deemed to have custody of client funds.

6 Marsella has violated California Code of Regulations section 260.241.4 by failing to  
7 properly update information filed with the Department, including but not limited to  
8 describing his business, its non-discretionary accounts, and its relationships with  
9 affiliated or other entities, including Marsella Financial Group, LLC.

10 NOW, BASED UPON THE FOREGOING, AND GOOD CAUSE APPEARING, it is hereby  
11 ORDERED under the provisions of Corporations Code section 25249 that Marsella immediately  
12 discontinue those acts that were in violation of California Corporations Code section 25241 and  
13 California Code of Regulations sections 260.241.3, 260.237, and 260.241.4.

14 Dated: April 18, 2006  
15 San Francisco, California

WAYNE STRUMPFER  
Acting California Corporations Commissioner

16 By: \_\_\_\_\_  
17 ALAN S. WEINGER  
18 Acting Deputy Commissioner  
19 Enforcement Division  
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